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WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE

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REVIEW OF REPORTS, STUDIES AND OTHER DOCUMENTATION FOR THE PREPARATORY COMMITTEE AND THE WORLD CONFERENCE

Note by the Secretary-General

The Secretary-General has the honour to transmit the study prepared by Mr. Glèlè-Ahanhanzo, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, on the issue of political platforms which promote or incite racial discrimination, pursuant to Commission on Human Rights resolution 2000/14 (para. 31).

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Annex

POLITICAL PLATFORMS WHICH PROMOTE OR INCITE RACIAL DISCRIMINATION

Study prepared by Mr. Glèlè-Ahanhanzo

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Introduction

1. The present report is submitted pursuant to Commission on Human Rights resolution 2000/14 (para. 31) of 17 April 2000, whereby the Commission on Human Rights requested the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to examine the issue of political platforms which promote or incite racial discrimination and to submit recommendations thereon to the Preparatory Committee for the World Conference against Racism, Racial discrimination, Xenophobia and Related Intolerance at its second session.

2. The report does not purport to be an exhaustive study of the racist political scene worldwide, but rather intends to give an overview of the main features of extreme-right parties and organizations based on current available sources.

3. Throughout the past decade, extreme-right, racist political parties and organizations have gained increased popularity and influence in several regions of the world[1]. Their presence is most strongly noted in Western and Eastern Europe, Latin America, the United States, Australia and Israel, where they have entered and gained influence in the political mainstream of those countries and regions. Beside the existence of the traditional extreme right in some countries, the rise in popularity of racist political parties has been linked to pressures generated by economic problems, globalization and immigration. They seem to flourish wherever there is economic and/or governmental instability accompanied by a perceived threat from increased immigration of migrant workers, refugees and asylum-seekers. Taking advantage of, and very often instigating or creating, these times of heightened tension and instability, extreme-right political parties adopt nationalistic, xenophobic and racist political platforms.

4. A recent cross-national study of the ideology of extreme-right political parties and organizations in Western Europe revealed that such parties and organizations tend to have a similar ideological core:[2]

(a) Racism and racial discrimination. Racism is a feature of the extreme right, advocating the purity of the "white race" and "white supremacy" is a common denominator among these entities; they also often demonstrate a strong inclination to anti-Semitism;

(b) Ultra-nationalism. All such parties advocate, as their core ideology, the promotion of a monocultural nation State through repatriation or assimilation of non-nationals; they also promote "national preference" in economic and social life, especially in the job market;

(c) Xenophobia. Most extreme-right parties play on the heightened fears of voters that their country is being invaded by foreigners who are stealing jobs (and thereby creating unemployment), committing crimes, debasing the moral structure and spreading disease;

(d) Economy. Many extreme-right parties and organizations espouse a welfare-chauvinist economic ideology, and believe that all or most national welfare provisions should be prohibited to non-nationals.

Thus, in order to recruit voters who are fearful of losing their status in society, extreme-right parties use immigrant and minority populations as scapegoats, portraying them as freeloaders who drain welfare services and are incapable of assimilation.

5. The following listing is merely a survey of the latest developments pertaining to extreme-right political parties in countries which have received the greatest amount of coverage and observation. This report does not list every extreme-right party in every country and region.

I. EUROPEAN AND OTHER COUNTRIES

6. The increase in the number of votes gained by extreme-right parties in Western and Eastern Europe is said to be linked to social and economic changes that have been taking place across Europe for the past decade. Social changes, such as increased immigration of people from culturally "different" countries and the effects of globalization, have caused many Europeans to feel a loss of cultural identity. West Europeans perceive a further threat to their cultural identities from the process of integration following the emergence of the European Union (loss of national sovereignty through the future use of a single currency and loss of control over national economic policy). And economic changes, such as increased unemployment throughout Europe, the perceived threat from immigrants ("job competition" and the "exploitation of social services") and the effects of globalization have created a sense of economic insecurity. In the past decade, extreme-right political leaders have been manipulating these fears and uncertainties, presenting themselves as people's only hope for change.

7. To date, extreme-right parties in Eastern and Western Europe have been only moderately successful. However, extreme-right parties across Europe have begun to work together and to develop plans for a coordinated campaign through the organization of the European National Union, which contains parties from both the East and the West. Furthermore, as globalization patterns continue, immigration fears remain high and the European Union issue becomes more pertinent, many political commentators believe that we will see a rise in the popularity of extreme-right groups throughout Europe.

Austria

8. Austria is the country that houses Europe's most popular extreme-right political party. In recent years, the extreme-right Freedom Party (FPO), headed by Joerg Haider, gained considerable popularity and it became Austria's second-largest party in the Austrian Parliament in 1999. The FPO is characterized by its xenophobic, racist, anti-Semitic, anti-European Union and anti-globalism political platform. The FPO's sharp rise in popularity during the past decade is attributed to its anti-immigrant propaganda and to the public's growing frustration with Austria's other two major parties, the Social Democrats and the People's Party. The FPO's political campaign contained promises to curtail globalization and to stop immigration and "abuses of the welfare system by illegal immigrants". According to Haider, immigrants take jobs away from Austrians and increase crime rates. During his 1999 campaign, Haider used poster slogans such as "Stop the foreign infiltration" and "Stop the abuse of asylum". Additionally, Haider regularly made racist statements concerning the criminal tendencies of African, Polish, Yugoslav, Turkish and Russian immigrants, and he has a long history of using Nazi terminology and legitimizing Hitler's policies in his speeches.[3]

9. In March 1999, Haider was re-elected as governor of the province of Carinthia. Furthermore, in the October 1999 general elections, the FPO came in second place, receiving 27.2 per cent of the popular vote. This means that one third of Austrian voters supported this extreme-right party, resulting in the FPO gaining 12 parliamentary seats so that it now holds 53 out of the total 183 seats in Parliament. Meanwhile, the Social Democrats (Austria's leading party) recorded their smallest lead since the Second World War. Many commentators have criticized the other major political parties for not taking a strong stance against the FPO's racist platform.[4]

10. In 1997, the FPO received 28 per cent of the votes in the elections to the European Parliament, so that it came in third place behind the People's Party (29.6 per cent) and the governing Social Democratic Party (29.1 per cent). However, in the June 1999 European Parliament elections, the FPO's percentage of the vote was reduced to 23.5 per cent. Perhaps because of the success of the FPO, Austria has become a sort of gathering place for Europe's extreme-right political parties where they can develop plans for a coordinated Europe-wide campaign.[5]

Belgium

11. *Vlaams-Blok* is an extreme-right political party based in Flanders that campaigns with the slogan "Our People First" and has conducted anti-immigration campaigns during recent elections.[6] *Vlaams-Blok* managed to gain 7.5 per cent of the votes in the 1995 elections and today it gets the greatest number of votes (28 per cent) in Antwerp, Belgium's second-largest city where a majority of Turkish immigrants live. *Vlaams-Blok* also wants to establish an independent, ethnically pure Flanders.

Czech Republic

12. Several extreme right-wing groups have been active in the Czech Republic since around 1990 (there are 5,000-6,000 estimated skinheads). They organize street parades, meetings and concerts and attack the Roma, Jews and foreigners both verbally and physically. These organizations also circulate racist publications.[7]

13. The National Alliance is an extreme-right group, and is a registered Czech civic association. Former Interior Minister Vaclav Grulich ordered the National Alliance dissolved but it has not been officially removed from the list of registered associations because it has appealed to the Constitutional Court.[8] The Interior Ministry rejected a request from members of the group to register a political party called the National Social Alliance. In June, a district court found the leader of the National Alliance, Vladimir Skoupy, guilty of racially motivated crimes. In particular, during several demonstrations he publicly denied the Holocaust, which is a crime in many European countries.

Denmark

14. In 1997, the Danish People's Party (DPP) gained 6.8 per cent of the votes nationwide. In 1998, the DPP's share of the votes rose to 7.4 per cent, increasing its representation in the Parliament to 13 seats.

France

15. The extreme-right, anti-immigrant, anti-Semitic, ultra-nationalist political party the National Front, headed by Jean-Marie Le Pen, increased its percentage of the votes from just 0.74 per cent in the 1970s to 15 per cent in 1997 and has become a powerful force in French politics. The National Front's tactic in recent years has been to support and form alliances with mainstream-right political parties in order to achieve an appearance of legitimacy and play down its extremist image.[9]

16. Le Pen has cited the large presence of Arab and North African immigrants in Southern France as the cause of high unemployment, which he claims could be instantly cured by deporting all immigrants. In 1998, the National Front collaborated with other European extreme-right groups such as the Democrats of Sweden (*Sverige-Demokraterna, SD*), which advocates an ethnically homogenous society and the exclusion of immigrants and refugees; the National Patriotic Union (*Isanmaallinen Kansallis Liitto, IKL*) in Finland; *Democratia Nacional* in Spain; the Hellenic Front in Greece; and the Union of the German People (*Deutsche Volksunion, DV*) in Germany.[10]

17. However, a power struggle erupted in 1998 between Le Pen and Bruno Mégret, the National Front's second-in-command, resulting in the party being split into two in 1999,with Le Pen still heading the National Front. The split occurred because of Mégret's desire to form alliances with the moderate right, whereas Le Pen wanted to retain the party's status as a national populist opposition force. The so-called moderate right wing of the National Front, headed by Mégret, is attempting to attract the party's supporters by putting forth a "more sensible and less racist platform". This split has knocked the National Front out of the European political arena because it is doubted that either faction can gain the 5 per cent of the vote required to maintain a presence in the European Parliament.

Germany

18. Extreme-right parties in Germany have not done nearly as well as their counterparts in countries like France and Austria during the past decade. In March 1998, they received so few votes in regional elections that they were barely even mentioned in the results. Although right-wing extremist violence has been on the rise in Germany,[11] extreme-right racist, xenophobic and nationalist political parties have not done well.

19. Nevertheless, many such parties are continually attempting to organize, although they are usually plagued by internal fighting and poor organization. Some have estimated that approximately 10-15 per cent of the German population is ready to vote to the right of established conservative parties if the right extreme-right party were to come along.[12] One far-right group that was organized in January 1998, the League of Free Citizens, is hoping to capture this percentage of the population.

20. In addition, the National Democratic Party, the most extreme right-wing party in Germany, was attracting hundreds of new members in Eastern Germany during 1998. Other extreme-right groups in Germany are the German People's Union (DVU), the Christian Social

Union (CSU), the Christian Democratic Union (CDU) and the Social Democratic Party (SPD). All of these groups speak harshly of Germany's foreign populations, calling for a halt to immigration and putting "German people's" interests before all others.

Hungary

21. In 1998, the MIEP Hungarian Justice and Life Party, led by Istvan Csurka, gained 14 seats in Parliament (out of 386), becoming the first extreme-right party to enter Parliament since the Second World War. In the 1998 local elections, the MIEP scored 5.09 per cent of the vote, with mayors elected in four districts. The MIEP's political platform was strongly anti-Europe and called for resistance to globalization and the expulsion of Roma from Hungary.[13] The party's leader, Istvan Csurka, is well known for his racist and xenophobic attitudes.[14] Furthermore, the Prime Minister of Hungary, Viktor Orban, has failed to condemn the MIEP's platform or distance himself from their far-right, anti-Semitic and anti-foreigner comments.[15]

Israel

22. Extreme-right organizations made a breakthrough in Israel political life in 1984 when Meir Kahane, the leader of the *Kach* - a party whose political platform called for the expulsion of Israel's Arab minority and also incited racial hatred of non-Jews - was elected to the *Knesset* (Parliament). In 1988, new anti-racist legislation (see below) barred the *Kach* from taking part in the elections. As a consequence of the murder of Meir Kahane, the influence of the *Kach* was further reduced. However, new extreme-right parties and organizations emerged and are taking an active part in the Israel political process. The *Moledet* (Homeland) and the National Union are two extreme-right parties that were able to gain seats in the *Knesset* or to participate in the Government.

Italy

23. The most notable extreme-right party in Italy is the National Alliance, which was established in 1994 and is headed by Gianfranco Fini who has toned down the party's extremist image in recent years in order to increase its public acceptance. The National Alliance receives roughly 15 per cent of the vote and controls 15 per cent of the Parliament. However, compared to other nationalist parties in Europe, the National Alliance is considered to be moderate.[16]

Norway

24. The Progress Party, a racist anti-immigrant extreme-right political party whose policies follow closely those of Austria's Freedom Party, increased its percentage of the vote to 15 per cent in 1997 and to 15.3 per cent in 1998 and gained 25 seats in Parliament. It is now the second-largest party in Norway.

Netherlands

25. *Centrumdemocraten* (CD) is a hard-core extreme-right anti-immigration party linked to far-right violence in the Netherlands. However, CD has virtually no representation in the Government and received only 1 per cent of the votes in the 1998 general election.

Portugal

26. In 1998, a political organization called *Orgulho Branco* (White Pride) disseminated racist statements against Africans and Gypsies. The *Frente de Direita Nacional* (FDN), which claims 5,000 members, *Acçao Fundacional Nacionalista* (AFN) and *Aliança Nacional* (AN), with 2,000 members, are also among the most important organizations in Portugal. There is also a violent skinhead movement made up of thousands of young Portuguese who often attack Africans and Roma.[17]

Romania

27. In Romania the leader of the *Partidul România Mare* (Party of Great Romania), Corneliu Wadim Tudor, won 30 per cent of the vote in the presidential election in December 2000. His party also won 28 per cent of the seats in the Parliament. The Party of Great Romania is well known for inciting to racial hatred of Roma people and other minorities in Romania.

Russian Federation

28. Due to an unstable political atmosphere and difficult economic conditions, anti-Semitism is on the rise in Russia and many people are blaming Jews for societal problems. A number of prominent political figures are taking advantage of this situation and are employing anti-Semitic rhetoric to increase their popularity.

29. For instance, the most well known extreme-right party in Eastern Europe is the Liberal Democratic Party (LDPR), headed by Vladimir Zhirinovsky, which has connections with many West European extreme-right parties such as the German DVU.[18] In addition to the LDPR, General Albert Makashov, a member of the Communist Party who has been elected to the national Parliament (*Duma*), is also well known for using his voice in Parliament to blame Jews for Russia's economic problems and to advocate the establishment of a quota on the number of Jews allowed in Russia.[19] Furthermore, in December 1998, the head of the Duma's Security Committee, also a Communist Party member, stated during a parliamentary session that Jews were committing genocide against the Russian people and called for quotas on the number of Jews allowed to hold government positions.[20] Even Russia's Human Rights Commissioner, Oleg Mironov, stated that ethnic Russians should receive special status in Russia.[21]

30. These severe anti-Semitic statements by Russian politicians were never denounced in Russian political life. In effect, the failure to criticize and prohibit such racist statements actually served to legitimize anti-Semitism and adopt it into the political mainstream, rather than keeping it at a distance on the fringes.

31. On the local level, the governor of the southern Russian region of Krasnodar, Nikolai Kondratenko, has spread anti-Semitic messages blaming Jews for political and economic problems in Russia. In March 1998, he delivered a two-hour speech in Krasnodar dedicated to the "Jewish Question".[22] Kondratenko won elections in Krasnodar several times using this anti-Semitic platform.

32. It is estimated that around 80 nationalist political parties and organizations exist in Russia. Three of them have gone so far as to adopt the use of neo-Nazi symbols and ideology. One such group is the Russian National Unity, which is registered in 25 Russian regions. One leader of this group, Igor Semyonov, was sentenced to two years in prison in 1998 for inciting hatred against Jews and people from the Caucasus region. In 1998, its campaign included demands for the deportation of Jews to Israel and of the people of the Caucasus to Turkish countries.

Sweden

33. Sweden Democrats (SD) is a far-right party that is trying, unsuccessfully, to distance itself from its past neo-Nazi image.[23] SD has no representation in the Swedish National Parliament and only minimal representation in local governments.

Switzerland

34. The right-wing Swiss People's Party, headed by Christoph Blocher, has achieved 22.5 per cent of the vote and is Switzerland's second strongest party. Its television advertisements advocated a stop to immigration, tougher asylum laws and keeping Switzerland out of the European Union.

Ukraine

35. Extreme nationalist organizations comprise a growing segment of the political spectrum in Ukraine today, though they are still of little significance. The right-wing nationalists propose a mono-ethnic State or new empire, since only an ethnocratic government could provide an adequate defence against Russian imperialism and Western "globalism". The following extreme nationalist parties were formed over the course of the break-up of the USSR in the 1990s:

(a) The Ukrainian National Assembly (*Ukrainska natsionalna assembleya*, UNA) and its paramilitary wing, the Ukrainian Self-Defence (*Ukrainska natsionalna samooborona*, UNSO). By early 1996, UNA provincial committees existed in almost all provinces. However, statistics gathered in January 1998 show that UNA membership was a mere 1,000;

(b) State Independence of Ukraine (*Derzhavna samostiyist Ukraini*, DSU) was established in Lvov in April 1990 as a semi-underground group of no more than 500 members. By the end of 1997, it numbered 2,000. The DSU promotes the superiority of the Ukrainian nation and is hostile to Russians, Jews and Americans;

(c) The Organization of Ukrainian Nationalists (*Organizatsiya ukrainskikh natsionalistiv*, OUN);

(d) The Ukrainian Conservative Republican Party (*Ukrainska konservativna republikanska partiya*, UKRP);

(e) The Ukrainian Social-Nationalist Party (USNP);

(f) The Organization of Idealists of Ukraine, and a number of lesser-known and less influential organizations.

36. Most of these parties are very poorly organized and unstable. Nevertheless, from 1993 to 1997, UNA-UNSO was extremely active. It strengthened its position, expanded its influence, and became the most popular radical right-wing party in Ukraine. Between 1994 and 1996, regional branches were established in all provinces of Ukraine, in many major regional centres, cities, and a number of settlements. Although not registered with the Ministry of Justice, UNSO is registered in Lvov province and in the cities of Rovno and Ternopol. Local authorities generally turn a blind eye to the existence of unregistered UNSO branches in view of the tolerance of UNA by the central Ukrainian authorities.

United Kingdom of Great Britain and Northern Ireland

37. As in the rest of Europe, extreme-right political parties in the United Kingdom continue to attempt to organize themselves into significant political entities. However, they have not achieved the same level of success as in other European countries, such as Austria and France. Nevertheless, the United Kingdom suffers from a great deal of non-politicized racist behaviour on the part of its institutions and public, perhaps to a greater extent than in countries such as Austria and France.[24]

38. For example, the British National Party (BNP) and Combat 18, two groups attempting to organize politically, promote racism, a ban on immigration, and oppose the global economy and involvement in the European Union. However, in May 1999, the House of Commons approved a government amendment to draft legislation setting up the assembly to require any party to secure at least 5 per cent of the vote in order to win a seat in the 25-member assembly.[25] This requirement is intended to make it more difficult for marginal, racist political groups to win a voice in the assembly.

II. LATIN AMERICAN COUNTRIES

39. The presence and activities of extreme-right organizations and movements in Latin America is linked to the emigration of Nazi war criminals after the Second World War. Active ultra-rightist groups have been identified in Argentina, Chile, Brazil and Uruguay.[26] Neo-Nazi networks have formed in Latin America, using new communication technologies such as the Internet.[27]

Argentina

40. Ivan Franze, known as the "comrade-in-chief" of the Social Order Party, claims that his organization has more than 7,000 members in Buenos Aires and its environs. Its goal is to restore the military to power in Argentina and to revive that country's military and industrial complex.

41. The National Workers' Party of Alejandro Biondini, who denies being a Nazi but admits to being an Argentine National Socialist, is another extreme-right party that is mentioned in Argentina.

42. In August 1998, there was a meeting of several neo-Nazi groups at LaSalle College in Buenos Aires; they called for an "International National Socialist" congress to be held in the year 2000 in the Chilean capital Santiago.

43. In the October 1997 elections, Aldo Rico, the leader of the far-right *Movimiento por la Dignidad y la Independencia* (MODIN, Movement for Dignity and Independence), was elected mayor of the Buenos Aires provincial town of San Miguel, despite his party's overall poor showing in the election.

Brazil[28]

44. The main centre of extreme-right organizations is the city of São Paulo and its suburbs. The fortunes of the Integralist Party[29] revived with the country's return to democracy in 1988. Currently, the party is based in the centre of the State of São Paulo. It has only a few hundred members. The *Partido Nacional Revolucionario do Brasil* (PNRB, Brazilian National Revolutionary Party), established in 1992, is an avowed neo-Nazi party. It has a loose following of about 200. The *Partido Nacional Socialista Brasileiro* (PNSB) has also been mentioned as another racist organization.[30]

45. Brazil also has a small skinhead movement, which is modelled on the skinhead movements of North America and Europe. Some of the principal skinhead groups in Brazil are: the Skinheads, the *Carecas* (skinheads) *do ABC*, the *Carecas do Suburbio*, the *Carecas do Brasil* and White Power.

46. In October 1999 an extreme-right group claimed to have planted a bomb in the Amnesty International office in São Paulo. Amnesty International has since then been subjected to renewed threats by this group.[31]

Chile[32]

47. One of the oldest neo-Nazi groups is the *Movimiento Nacional Sindicalista* (National Syndicalist Movement) founded in 1947 by Ramon Callis. The group, now led by Misael Galleguillos, supported the military dictatorship of 1973-1990 and has historical ties with the ultra-nationalist group *Patria y Liberdad* (Fatherland and Freedom) which was active in 1970 against the Government of Salvador Allende.

48. Former members of the MNS and other neo-Nazis constitute the *Comité 5 Septiembre* (5 September Committee) which is named after the failed Nazi putsch of 1938. Led by Galvarino Sepúlveda, the group organizes the annual commemoration of the event and attempts to preserve the memory of the MNS in Chile.

49. The *Movimiento Nazi Chileno* (Chilean Nazi Movement), also known as the Eugenio Lutz Group, is led by Eugenio Lutz, a Nazi veteran. Founded in 1991, it has both an adult and a youth section. Membership of the adult section is said to include a number of ex-Nazis.

50. The *Guardian de los Andes* (Guardian of the Andes) is a small neo-Nazi paramilitary youth group founded in 1994 and led by Rafael Nuñez. Its ideological mentor is Erwin Robertson, a prominent Holocaust-denying historian at the Metropolitan University in Santiago, and it claims to be supported by both Chilean and foreign neo-Nazi groups.

51. Neo-Nazi skinhead groups have also appeared in Chile in recent years. As in Europe and North America, they have adopted Nazi symbols and profess hatred towards Jews and foreigners. Although potentially violent, the Chilean groups are poorly organized, without a legitimate leader, and they have little influence. They generally take part in neo-Nazi meetings and events.

52. On 17 April 2000, most of the extreme-right organizations in Latin America and some from Europe gathered at the Ibero-American Nazi Forum in Santiago.

Uruguay

53. Investigations by some journalists revealed that organized extreme right-wing groups exist in Montevideo. While their membership is small, their activities follow a consistent pattern, frequently becoming violent. Among these groups, the National Revolutionary Front of Uruguay has been cited as the most important. In 1999, it was reported that extreme right-wing groups were behind a series of attacks against Jewish businesses and homes as well as the desecration of graves in Jewish cemeteries.

III. UNITED STATES OF AMERICA

54. Racist politics are also on the rise in the United States of America, and can be readily witnessed in the political stances of extreme-right political figures such as Pat Buchanan and David Duke, who was a candidate in the 1992 presidential elections. Extreme-right parties in America tend to operate outside the political party system and try to influence elections and policy decisions. They consist mainly of single-issue movements and are characterized by a growing focus on religious ultranationalism. For example, Pat Buchanan has bridged the gap between the Republican Party and the New Christian extreme right throughout the 1990s, while espousing an ethnocentrist "America First" political platform.[33] Another extreme-right group that organizes on the basis of a racist platform is the National Association for the Advancement of White People (NAAWP). Formed by David Duke after he left the Ku Klux Klan, the NAAWP serves as a "white civil rights organization" and opposes integration, affirmative action, welfare, interracial marriages and scholarship programmes for minorities. Other examples of extreme-right racist groups in America which hold rallies and disseminate racist propaganda are the National Alliance, the National Socialist White People's Party, the Ku Klux Klan and the Aryan Nation (all of these groups maintain Web sites on the Internet).

IV. AUSTRALIA

55. Extreme-right politics became a mainstream force in Australian politics in 1996 with the entrance of Pauline Hanson's One Nation party. One Nation's quick rise in popularity has been attributed to dissatisfaction with the current political establishment, increasing poverty, globalization, and hostility towards Asian immigrants. One Nation's political platform contained plans to halt Asian immigration and Asian foreign investment and to discontinue programmes intended to benefit Aboriginals.[34] During One Nation's strongest period, it persistently received 6-10 per cent support across Australia, up to 30 per cent in some rural regions of Queensland, and as much as 25 per cent in New South Wales. However, beginning in 1998, One Nation was plagued with internal struggles resulting in resignations by two members of Parliament and expulsions and suspensions of party officials. As a result of these internal conflicts, One Nation won only one seat in the Senate, and none in the House of Representatives, in the October 1998 elections. Pauline Hanson herself was not even re-elected as a member of Parliament.

56. Nevertheless, much of One Nation's agenda has been integrated into the mainstream of Australian politics.[35] Pauline Hanson's platform has acted as a sounding board for other politicians to identify the issues that are important to voters. These have shown to be immigration, refugees and multiculturalism. The major parties (Labour, Liberal and National) have subsequently changed their policies in order to capture the votes formerly given to One Nation, which came largely from men over 50 years old with blue-collar jobs.[36]

V. INTERNATIONAL NORMS AND LEGAL MEASURES ADOPTED BY SOME GOVERNMENTS

57. International legislation is clear on the need to prohibit organizations that practise incitement to racial hatred. It is predicated on striking a balance between the need to combat racism and racial discrimination and respect for the fundamental freedoms set forth in several of the international human rights instruments, such as freedom of opinion, freedom of expression and freedom of association. For example, article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination stipulates:

> "States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:
>
> (a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(...)".

58. Despite the clarity and precision of this article, many States parties, in ratifying the Convention, have made comments and entered reservations which limit its implementation in the domestic sphere.[37] However, the Committee on the Elimination of Racial Discrimination has on several occasions pointed out that the provisions of article 4 permit full compliance with the obligations contained therein, "with due regard" to the fundamental rights to freedom of expression, opinion and association. The opinion of the Committee, shared by most States parties, is that these rights are not absolute, but subject to limitations, which lie in the balance to be struck between the obligations deriving from article 4 and the protection of these fundamental freedoms.[38]

59. Furthermore article 20, paragraph 2, of the International Covenant on Civil and Political Rights states, "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law". Similarly, in accordance with article 29, paragraph 2, of the Universal Declaration of Human Rights, "In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society". While fully endorsing this provision of the Universal Declaration, the Special Rapporteur reiterates that a refusal to prohibit organizations and political parties that practise incitement to racial discrimination is no argument for democracy, but, quite the contrary, creates a democratic paradox by protecting organizations that frequently endanger the very foundations of democracy.

60. To conclude the issue of the difficulties involved in prohibiting racist organizations, article 29, paragraph 3, of the Universal Declaration stipulates that the rights and freedoms mentioned therein "may in no case be exercised contrary to the purposes and principles of the United Nations".

61. This brief legal overview demonstrates that the expansion of racial discrimination sought by a large number of organizations can be countered without risk of being arbitrary. The examples of a number of States may be cited in this regard:

Austria

62. According to a report by three European Union experts - Martti Ahtisaari, Jochen Frowein and Marcelino Oreja - adopted in Paris on 8 September 2000:

"The principle of party freedom is recognized in the Austrian Constitution and in special legislation for political parties. However, a strong prohibition concerning National

Socialist organizations has been in existence since 1945. According to this prohibition law ('Verbotsgesetz') all National Socialist organizations are prohibited and it is a criminal act to reactivate National Socialist organizations.

This legislation has been applied in practice continuously. In 1988, the Austrian Constitutional Court decided that a particular organization was in fact an organization reactivating National Socialist ideas and was therefore prohibited. According to the jurisprudence of the Austrian Constitutional Court the prohibition automatically applies and must be implemented by every State authority which deals with such an organization. This shows that no National Socialist party is lawful under the Austrian constitutional system.

It is clear from the case law of the Austrian Constitutional Court that in any case where a political party appears before the Court, the Court may ex officio rule on the question whether the prohibition law applies where the Court has reason to take up that issue. The FPÖ has been an applicant before the Court in many cases concerning electoral matters. The Court has not seen any reason to question the lawfulness of the FPÖ in relation to the 'Verbotsgesetz'."

Brazil

63. The 1988 Brazilian Constitution makes the public expression of religious or racial prejudice a crime carrying a mandatory prison sentence with no possibility of bail (art. 5, XLII). This legislation has rarely been used. A law banning the use of the swastika was approved by the federal senate in 1994. Those convicted of using the symbol can be sentenced to between two and five years in prison. In September 1990, the then President, Fernando Collor de Mello, signed law 8,081/90, which made illegal all discriminatory acts and prejudice on the grounds of race, religion, colour, or ethnic or national origin.

Germany

64. Article 9 (2) of the German Constitution states that "associations, the purposes or activities of which conflict with criminal laws or which are directed against the constitutional order or the concept of international understanding are prohibited". Article 21 (2) further states that "parties which, by reason of their aims or the behaviour of their adherents, seek to impair or abolish the free, democratic basic order shall be declared unconstitutional by the Federal Constitutional Court". In essence, persons and organizations that abuse the freedom of expression or opinion, in particular, the freedom of association, forfeit this basic right (article 18 of the Constitution, section 1 of the *Versammlungsesetz* (Assembly Act)).

65. To carry on with the activities of a political party which has been declared unconstitutional or an organization that has been prohibited is punishable by a maximum of five years' imprisonment, under the German Criminal Code (sects. 84 and 85). The Criminal Code also contains a provision directly prohibiting incitement to racial hatred and violence against segments of the population, which can be punishable by a maximum of five years' imprisonment (sect. 130, as amended in 1994).

66. In 1996, German authorities banned 10 extreme rightist organizations. The banned organizations are: *Nationalistische Front* (NF), *Deutsche Alternative* (DA), *Nationale Offensive* (NO), *Wiking-Jugend* (WJ), *Freiheitliche Deutsche Arbeiterpartei* (FAP), *Kameradschaftsbund Wilhemshaven*, *National Block*, *Freudeskreis für Deutschland*, *Nationale Liste* and *Heimattreue Vereinigung Deutschland* (HVD). Efforts to deprive recognized rightist extremists of their fundamental rights under article 18 of the Constitution have also been made by German authorities.

67. Furthermore, the Office for the Protection of the Constitution (*Landesamt für Verfassungsschutz*) consistently monitors the activities of the extreme right and brings to justice anyone who is in breach of the law. A special police group established in 1991 in Saxony, Soko Rex, also works to combat the extreme right and xenophobia. It carries out regular searches on extreme rightist organizations' headquarters and their members' houses, punishes illegal acts and takes preventive measures to stop young people getting involved in such organizations.

68. A heated debate over whether to ban the most radical extreme-right party, the National Democratic Party (NPD), is currently taking place in Germany. The German Government, however, has taken a very careful approach in order to avoid the slightest possibility of its initiative being dismissed by the Constitutional Court in Karlsruhe. Where the banning of a party is concerned, the Constitutional Court's requirements are strict: the party in question must endanger or seek to destroy the fundamental principles of democracy, in a combative and actively aggressive manner. A group of experts has consequently been asked to look into the case. In December 2000 the Bundestag, the German Parliament, approved the application to ban the NPD.

Israel

69. Israel's penal law expressly prohibits the incitement of "promoting feelings of ill-will and enmity between different sections of the population" (Penal Law 1977, art. 133). In mid-1980, Israel also reformed its election law barring the participation of racist parties in national and municipal elections. Further, several landmark decisions have resulted in the curbing of extreme-right parties. For instance, in the case of *Neiman v. Central Elections Committee of the 12th Knesset*, Israel's Supreme Court disqualified racist political parties from running for election to the *Knesset*. Moreover, according to article 5 (2) of the 1992 Political Parties Law, the Registrar of Political Parties cannot register political parties whose objectives include explicit or implicit incitement to racism, or whose behaviour reflects such incitement.

70. Furthermore, two extremist Jewish political organizations, *Kach* (see above) and Kahana Lives, were declared to be illegal terrorist organizations by the Government in the 1990s. Membership in these or similar groups was expressly prohibited in a policy statement. The decision was challenged before the Supreme Court, but the Court upheld the policy statement banning membership in such organizations.

71. The Ministry of Justice also set up a special team in December 1995 to monitor and enforce the law in cases of incitement, including incitement to racial or ethnic hatred. The special team is empowered to make operative recommendations to the State Attorney about

whether to commence prosecution proceedings or take other legal measures. However, with regard to these types of offences, the general policy of the State Attorney's Office is one of restraint, taking into account the freedom of speech.

VI. CONCLUSION AND RECOMMENDATION

72. The ideology promoted by extreme-right organizations and the violence perpetrated by some of them against ethnic and religious minorities and immigrants are incompatible with the current trend towards global integration and violate basic principles of equality and non-discrimination enshrined in several human rights instruments that States parties have committed themselves to uphold.

73. In the framework of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the Preparatory Committee may wish to request that the Governments concerned provide the Conference with a national study on concrete measures which have been adopted to prohibit the activities of extreme-right parties and organizations. The Committee may also wish to recommend that States parties which have made declarations on and reservations to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination consider the possibility of withdrawing such declarations and observations so as to make their legislation to combat racism and racial discrimination more effective.

Notes

[1] Extreme-right organizations include ultra-nationalists, neo-Nazists, neo-Fascists and skinheads.

[2] Cas Mudde, "The Single-Issue Party Thesis: Extreme Right Parties and the Immigration Issue", *West European Politics*, vol. 22, No. 3, July 1999.

[3] "Election results show rising spectre of hate in Austrian politics - ADL concerned over support for Haider's Freedom Party", Anti-Defamation League (New York), 4 October 1999.

[4] Ibid.

[5] Anatolian Science and Technology Strategies Research Institute, World Racism Report 1998, Istanbul, September 1999, p. 55.

[6] Ibid., p. 138.

[7] Report by Mr. Glèlè-Ahanhanzo, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, submitted pursuant to Commission on Human Rights resolution 1998/26 (E/CN.4/2000/16/Add.1).

[8] "National Alliance head released from custody", *Czech News Agency*, 21 June 2000.

[9] Peter Ford, "Extreme right in France going mainstream", *The Christian Science Monitor*, 1997.

[10] *World Racism Report 1998*, op. cit. (see note 5), p. 118.

[11] Deidre Berger, "Germany's Far Right Forms Political Base", *The Christian Science Monitor*, 27 March 1998.

[12] Ibid., quoting University of Marburg professor Bernd Hafeneger.

[13] Institute of Race Relations, at www.irr.org.uk

[14] "New report says political anti-Semitism on rise in Hungary, ADL expert in Eastern Europe cites a troubling trend", *Anti-Defamation League* (New York), 22 December 1999.

[15] Ibid.

[16] "Close watch on Italy's Nationalist Party as country goes to the polls", at www.CNN.com, 15 April 2000.

[17] See S.O.S. Racismo, *A extrema-direita em Portugal*, Lisboa, 1998.

[18] Cas Mudde, "Extreme right parties in Europe", *Patterns of Prejudice*, vol. 34, No. 1, 30 June 2000.

[19] Anti-Defamation League, "The Re-emergence of Political Anti-Semitism in Russia: A Call for Action". www.adl.org/russia, 15 February 2001.

[20] Ibid.

[21] Ibid.

[22] Ibid.

[23] Institute of Race Relations, at www.irr.org.uk

[24] "World Racism Report 1998", op. cit. (see note 5).

[25] "Commons Oks move to limit racist politics", *Chicago Tribune*, 5 May 1999.

[26] "Neo-Nazis active in Latin America", *Interpress Service*, at www.oneworld.org, 15 February 2001.

[27] Ibid.

[28] Institute for Jewish Policy Research, *Antisemitism and Xenophobia Today*, at www.ant.org.uk, 15 February 2001.

[29] The extreme-right party *Açao Integralista Brasileira* (Brazilian Integralist Party) was most popular in mid-1930 when it claimed to have 1 million members.

[30] See Marcia Regina da Costa, *Os Carecas do Subúrbio*, Voces, Petropolis, Brazil 1993.

[31] See "Work as usual" for Amnesty International, following threats from extreme right (*AI Press Release*, INDEX:AMR 19/03/00, 9 February 2000).

[32] See www.axt.org.uk

[33] Michael Minkenberg, "The renewal of the radical right", *Government and Opposition*, vol. 35, No. 2, Spring 2000.

[34] *World Racism Report*, op. cit., p. 201.

[35] Linda Tenenbaum, "The Rise and Decline of Pauline Hanson's One Nation", World Socialist Web site, www.wsws.org, 9 March 1999.

[36] Iva Dutchman, "Pauline Hanson and the rise and fall of the radical right in Australia", *Patterns of Prejudice*, vol. 34, No. 1, 30 June 2000.

[37] Antigua and Barbuda, Australia, Austria, Bahamas, Barbados, Belgium, Fiji, France, Italy, Malta, Nepal, Papua New Guinea, Tonga, United Kingdom of Great Britain and Northern Ireland and the United States of America.

[38] For the opinion of the Committee on the Elimination of Racial Discrimination, see General Recommendation I of 24 February 1972, General Recommendation XV (42) of 17 March 1993 and the Report of the United Nations Seminar to assess the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination with particular reference to articles 4 and 6 (E/CN.4/1997/68/Add.1).